

1

We Concur: Scotland, P.J.
Hull, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

2

Court Minutes

March 22, 2010, Continued

C064056 M.S. v. THE SUPERIOR COURT OF (Not For Publication)
SAN JOAQUIN COUNTY; SAN JOAQUIN
COUNTY HUMAN SERVICES AGENCY
et al.

The petition for extraordinary writ is granted as to the claim of failure to provide notice in compliance with ICWA and denied as to the remaining issues.

...

Petitioner's request for stay is denied. In order to prevent the frustration of the relief granted, the decision of this court shall be final forthwith. (Cal. Rules of Court, rule 8.490 (b) (3).)

HULL, Acting P.J.

We Concur: Butz, J.

Cantil-Sakauye, J.

March 23, 2010

At 9:30 a.m., the court met at 621 Capitol Mall, 10th Floor to begin its court calendar session. Present were Scotland, Presiding Justice; Sims, Associate Justice; Hull, Associate Justice; and Horner, bailiff.

C061031 MARTINEZ v. BOARD OF PAROLE HEARINGS

Cause called. Krista L. Pollard, Deputy Attorney General, argued for appellant. Ken I. Karan argued respondent. Cause submitted.

At 10:02 a.m., the court recessed. At 10:04 a.m., the court reconvened with Scotland, Presiding Justice; Sims, Associate Justice; and Cantil-Sakauye, Associate Justice.

C058743 LEG INVESTMENTS v. BOXLER et al.

Cause called. Jay-Allen Eisen argued for appellant. Robert Sinclair argued for respondents. Cause submitted.

CONSOLIDATED WITH

C059785 LEG INVESTMENTS v. BOXLER et al.

Cause called. Jay-Allen Eisen argued for appellant. Robert Sinclair argued for respondents. Cause submitted.

At 10:33 a.m., the court recessed. At 10:36 a.m., the court reconvened with Sims, Associate Justice; Nicholson, Associate Justice; and Raye, Associate Justice.

3

Butz, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

4

Court Minutes

March 24, 2010

At 9:30 a.m., the court met at 621 Capitol Mall, 10th Floor to begin its court calendar session. Present were Scotland, Presiding Justice; Blease, Associate Justice; Robie, Associate Justice; and Haskett, bailiff.

C060359 THE PEOPLE v. DAIQUIRI HALL et al.

Cause called. Richard M. Doctoroff, court appointed counsel, argued for appellant Hollins. Larenda Delaini, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:55 a.m., the court recessed. At 9:59 a.m., the court reconvened with Blease, Associate Justice; Raye Associate Justice; and Robie, Associate Justice.

C060744 LANE et al. v. CITY OF SACRAMENTO

Cause called. Hank G. Greenblatt argued for appellant Lane. Douglas E. Stein argued for appellant Montgomery. Marcos A. Kropf argued for respondent. Cause submitted.

At 10:29 a.m., the court recessed. At 10:31 a.m., the court reconvened with Hull, Associate Justice; Robie Associate Justice; and Butz, Associate Justice.

**C061953 DARCHUK v. STATE PERSONNEL BOARD et al.; CALIFORNIA
DEPARTMENT OF CORRECTIONS AND REHABILITATION**

Cause called. Rudy E. Jansen argued for appellant. Gail T. Onodera argued for real party in interest and respondent. Cause submitted.

At 10:59 a.m., the court recessed. At 11:00 a.m., the court reconvened with Hull, Associate Justice; Robie Associate Justice; and Butz, Associate Justice.

**C060843 In re the Marriage of GERALD L. and JOYCE ANN GIBESON;
GIBESON v. GIBESON**

Cause called. Michael L. Pickering argued for appellant. Russell J. Swartz argued for respondent. Cause submitted.

At 11:20 a.m., the court recessed. At 11:21 a.m., the court reconvened.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

5

Court Minutes

March 24, 2010, Continued

C060930 THE PEOPLE v. KANZA YAWILI

Cause called. Han Ngoc Tran, court appointed counsel, Daniel Bernstein, Deputy Attorney General, argued for appellant. Cause submitted.

At 11:41 a.m., the court recessed until 9:30 a.m., Monday, March 29, 2010.

C061503 In re S.S.; THE PEOPLE v. S.S. (Not For Publication)

The judgment is affirmed.

BLEASE, Acting P.J.

We Concur: Hull, J.
Robie, J.

C054422 THE PEOPLE v. MEMORY et al.

BY THE COURT:

Respondent's petition for rehearing is denied.
SIMS, Acting P.J.

March 25, 2010

**C059163 THE PEOPLE v. (Not For Publication)
DAVID LAWRENCE KEIHL**

The judgment is affirmed. The trial court is directed to prepare a corrected abstract of judgment reflecting that defendant was convicted in count 1 of first degree robbery (§ 211) and in count 2 of first degree burglary (§ 459), and forward a certified copy of the corrected abstract of judgment to the Department of Corrections and Rehabilitation.

BUTZ, J.

We Concur: Sims, Acting P.J.
Hull, J.

C060370 THE PEOPLE v. MARTIN SANCHEZ (Not For Publication)

The judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment reflecting an additional 126 days of presentence custody credit and to forward a certified copy of said amended abstract to the Department of Corrections and Rehabilitation.

RAYE, Acting P.J.

We Concur: Butz, J.
Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

6

Court Minutes

March 25, 2010, Continued

- C060747 THE PEOPLE v. (Not For Publication)**
CURTIS MILES UPTHEGROVE
The judgment is modified to reduce victim restitution to \$1,758.08, reduce the drug laboratory fee to \$50, and the related fines and assessments to \$125, as set forth in part II of this opinion. The judgment is further modified to award defendant with 42 days of conduct credit, for a total of 85 days of custody credit. Defendant's conviction and sentence of 19 years eight months are affirmed. The matter is remanded for the limited purpose of holding a hearing to redetermine the restitution fine in accordance with part III of this opinion.
CANTIL-SAKAUYE, J.
We Concur: Scotland, P.J.
Sims, J.
- C060899 THE PEOPLE v. (Not For Publication)**
RICKY ALAN SNOW
The judgment is affirmed.
RAYE, J.
We Concur: Blease, Acting P.J.
Butz, J.
- C061644 THE PEOPLE v. GEORGE MIMS (Not For Publication)**
The convictions are affirmed. The abstract of judgment shall be amended in accordance with this opinion; as so amended, the judgment is affirmed. The trial court shall forward a certified copy of the amended abstract of judgment to the Department of Corrections and Rehabilitation.
RAYE, J.
We Concur: Blease, Acting P.J.
Butz, J.
- C062225 THE PEOPLE v. (Not For Publication)**
TREVIN LEEPAUL SPENCER
The judgment is affirmed.
ROBIE, J.
We Concur: Scotland, P.J.
Butz, J.
- C062549 THE PEOPLE v. (Not For Publication)**
RUTH LOUISE WALKER
The judgment is modified... A certified copy of the amended minutes shall be forwarded to the Department of Corrections and Rehabilitation.
BUTZ, J.
We Concur: Hull, Acting P.J.
Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

7

Court Minutes

March 25, 2010, Continued

C061935 In re ELIJAH C. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. SABRINA M. (Not For Publication)

The orders denying the petition to modify are affirmed.

RAYE, J.

We Concur: Blease, Acting P.J.
 Butz, J.

C062182 In re D.P. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. C.P. (Not For Publication)

The orders of the juvenile court are affirmed.

CANTIL-SAKAUYE, J.

We Concur: Hull, Acting P.J.
 Butz, J.

March 26, 2010

C059189 THE PEOPLE v. CALIXTO CADA RACIMO (Not For Publication)

The judgment is affirmed.

BUTZ, J.

We Concur: Sims, Acting P.J.
 Cantil-Sakauye, J.

C059659 THE PEOPLE v. LARRY FELIX COBARRUBIAS (Not For Publication)

The judgment is modified to stay imposition of sentence for count 2 (Pen. Code, § 422) pursuant to Penal code section 654. As modified, the judgment is affirmed. The court is to prepare a modified abstract of the judgment and forward a certified copy to the Department of Corrections and Rehabilitation.

SIMS, J.

We Concur: Scotland, P.J.
 Blease, J.

